

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION X

1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101



REPLY TO
ATTN OF:

Mail Stop 514

OCT 7 1975

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Honorable Jack McQuire
Mayor, City of Hoquiam
Hoquiam City Hall
Hoquiam, Washington 98550

Re: Notice of Violation
Our File - X75-02-45-113

Dear Mayor McQuire:

Pursuant to Section 113(a)(1) of the Clean Air Act [42 USCA § 1857c-8(a)(1)], you are hereby notified that the City of Hoquiam is found to be in violation of Regulation I, Section 9.01 of the Olympic Air Pollution Control Authority (OAPCA) and Section 18.12.040 of the Washington Administrative Code (WAC).

The OAPCA regulation provides in pertinent part that:

"(a) No person shall cause or allow any open fire within the jurisdiction of the Authority...."

"(4) Any fire allowed under this section is subject to the following:

(.....)

(ii) No garbage will be burned.

(.....)

(iv) No material containing ... any substance which normally emits dense smoke or obnoxious odors will be burned."

The WAC section states in part that "the following material shall not be burned in any open fire.... garbage ... or any material that normally emits black smoke or obnoxious odors..." Both regulations, copies of which are enclosed, are part of the Federally-approved Implementation Plan of Washington.

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Section 113(a)(1) of the Clean Air Act provides that if the violation continues beyond the 30th day after receipt of this Notice, the Administrator of the Environmental Protection Agency may issue an Order directing compliance with the requirements of the Implementation Plan or he may commence a civil action for appropriate relief. Further, Section 113(c) provides for criminal penalties in certain cases.

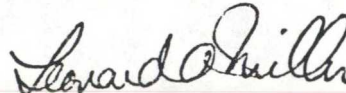
On the basis of available information, this Agency determines the following:

- a. The City of Hoquiam operates a garbage dump in which it disposes of garbage by means of open burning.
- b. AN OAPCA representative conducted an inspection of the Hoquiam dump on August 18, 1975 in which the inspector saw several piles of garbage and rubber smouldering and emitting a tremendous amount of smoke.
- c. The City of Hoquiam had a final compliance date for terminating the open burning of garbage of August 1, 1975 in the revised compliance schedule issued to it by OAPCA on January 10, 1975.

In accordance with Section 113(a)(4) of the Clean Air Act, we are offering you an opportunity for a conference to discuss the violation which is the subject of this Notice. A representative of the Washington State Department of Ecology (DOE) will be invited to participate in such a conference. The conference will afford the City an opportunity to present information bearing on the finding of a violation, on any efforts you have taken to achieve compliance, and on the steps you propose to take. You have a right to be represented by counsel and a transcript may be made of the conference.

Please contact Mr. John A. Hamill, Chief, Legal Support Branch, Mail Stop 514, EPA Region X, 1200 Sixth Avenue, Seattle, Washington 98101, phone (206) 442-1275 to request a conference. Such request should be made as soon as possible, but in any event, no later than 10 days after the receipt of this Notice.

Sincerely,



Leonard A. Miller
Director, Enforcement Division

Enclosure